



ENERGY AND ENVIRONMENT CABINET

**DEPARTMENT FOR ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT
200 FAIR OAKS, 2ND FLOOR
FRANKFORT, KY 40601
TELEPHONE NUMBER (502) 564-6716**

Application for a Solid Waste Landfill Notice of Intent to Apply Form DEP 7061 (9/91)

GENERAL INSTRUCTIONS

1. **APPLICABILITY** – Persons applying for a solid waste landfill permit must file the first phase of the three part application. This is the Notice of Intent to Apply for a Solid Waste Landfill permit (Notice of Intent). The applicant must complete the form and submit it to the Cabinet. If EPPC approves all three phases, the cabinet would issue a permit to construct a new or substantial expansion of a contained (municipal solid waste), construction and demolition, or residual landfill under KRS 224.40-310 and 401 KAR Chapters 47 and 48.
2. **LOCAL DETERMINATION** – Persons applying for a solid waste landfill permit request a local determination for consistency of the Notice of Intent with the solid waste management plan per KRS 224.40-315. The cabinet will not process a Notice of Intent without the local determination.
3. **PUBLIC NOTICE** – A Notice of Intent requires the cabinet to

publish a public notice about the permit being sought.

4. ASSISTANCE – Questions regarding this form may be directed in writing to the Division of Waste Management, Solid Waste Branch at the address listed above, or by calling (502) 564-6716.
5. SUBMISSION – Please type or print legibly in permanent ink. Submit the original and two (2) copies of the completed form to the Division of Waste Management at the address listed above. If an item is not applicable to your facility write “N/A” in the space provided.
6. FEES - Applicants must submit a \$500.00 filing fee at the time of application submittal in accordance with 401 KAR 47:090, Section 2(1).
7. LAWS AND REGULATIONS – Applicants are expected to understand and comply with all laws and regulations applicable to the proposed facility. The statutes and regulations that apply to the Notice of Intent for solid waste landfills may include the following: 401 KAR 47:170 and KRS Chapter 224.40-310.

Statutes and regulations may be viewed online at the following website addresses: <http://www.lrc.ky.gov/search.htm>

Solid waste application forms are available at the following website address: <http://www.waste.ky.gov/forms/>



To assist you in the submittal of a complete and accurate application, the Division has identified the most common errors made in the review process. These errors are listed below for your convenience.

1. Failure to provide the \$500.00 fee. See 401 KAR 47:090, Section 2. (1).
2. Failure to complete the application.
3. Failure to comply with public notice requirements. See KRS 224.40-310 and 401 KAR 47:140, Section 7 for more information.
4. Failure to comply with Financial Assurance requirements. If the existing financial assurance is insufficient to fully cover current closure and post-closure costs, updates will be required.
5. Failure to properly sign and notarize the application. An individual with signature authority for the applicant as defined by KRS 224.01-010(44) and 401 KAR 47:160 must sign and notarize the appropriate signature sections of the application.
6. Failure to provide appropriate, fully completed attachments. Maps, drawings, narratives or any attachments that lack sufficient detail or drawings that are not signed, dated and sealed by a professional engineer or geologist may cause delays in the review and approval of the application.



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Local Determination

1. Please provide, as **Attachment 1**, a copy of the Local Determination from the local governing body for the area in which the new landfill or significant expansion to an existing facility would be located. The statement must include the letter regarding the consistency of the application with the governing body's solid waste management plan (usually the host Fiscal Court or a Solid Waste District) per KRS 224.40-315. The Cabinet may not process the Notice of Intent without the local determination.

Application for a Solid Waste Landfill Notice of Intent to Apply

Applicant Information

☐ New Application
(Please skip #1 and #2, and begin with item #3)

☐ Existing site (Horizontal Expansion)
(Please complete items #1 and #2)

1. Agency Interest #:

2. Permit #: -

3. Fee submitted: \$.

4. Check or Money Order #:

5. Method of payment:

- ☐ Check
- ☐ Money Order
- ☐ Cash
- ☐ Exempt (Publicly Owned Facility)

6. Date Submitted: - -

7. Permittee Name:

(This refers to the corporation, LLC, business, person, government agency, etc., that owns or operates the facility.)

8. Permittee Mailing Address:

9. City:

10. State:

11. Zip Code:

12. Contact Person:

13. Title:

14. E-Mail Address:

15. Phone #: () - 16. Cell #: () - 17. Fax #: () -



Facility Information

18. Facility Name: 19. County:
20. Facility Location:
(Provide the street or physical location. Do not use P. O. Box #'s, etc.)
21. City: 22. Zip Code:
23. Facility Contact: 24. Title:
25. E-Mail Address:
26. Phone #: () - 27. Fax #: () - 28. Cell #: () -

Operator Information

29. Operator's Name:
(This refers to the corporation, LLC, business, person, government agency, etc., that owns or operates the facility.)
30. Operator's Mailing Address:
31. City: 32. State: 33. Zip Code:
34. E-Mail Address:
35. Phone #: () - 36. Cell #: () - 37. Fax #: () -

Property Owner's Information

38. Owner's Name:
(This refers to the corporation, LLC, business, person, government agency, etc., that owns or operates the facility.)
39. Owner's Mailing Address:
40. City: 41. State: 42. Zip Code:
43. E-Mail Address:
44. Phone #: () - 45. Cell #: () - 46. Fax #: () -
- Note:** Provide as **Attachment 1**, list any additional property owners and their information.
Provide as **Attachment 2**, any mineral rights owned by the property owners.

Preparer's Information

(Complete items 47 – 56 if the following information concerning the person preparing this application is different from the contact persons named in items 12 and 23.)

47. Preparers Name:

48. Company:

49. Mailing Address:

50. City:

51. State:

52. Zip Code:

53. E-mail Address:

54. Phone #: () -

55. Fax #: () -

56. Cell #: () -

57. Type of solid waste landfill (check all that apply):

☐ Contained Landfill☐ Construction/Demolition Landfill☐ Residual Landfill

58. If a modification to an existing landfill, designate the type of application:

☐ Vertical Expansion☐ Horizontal Expansion☐ Groundwater monitoring☐ Closure59. Provide as **Attachment 3**, a list of all adjacent property owners, including mailing addresses and contact information.If not applicable, check here. ☐

Operational and Permit Information

60. Complete the waste information below. If more space is needed, provide it as **Attachment 5.**

Average Daily Fill Rate	Tons/day	Cubic yards/day
Maximum Daily Fill Rate	Tons/day	Cubic yards/day
Disposal Rate	Tons/year	Cubic yards/year
Site Life	Years	*
Total Site Volume	Cubic yards	*
Number of acres to be filled	Acres	*
Number of acres to be permitted	Acres	*
Estimated Site Life	Years	*

Anticipated Waste Sources, Characteristics, and Amounts

Source (county, state)	Waste Description (Commercial, Residential, Industrial, Institutional, or a combination)	Annual Quantity (Cubic Yards)	Annual Quantity (tons)

61. For industrial facilities, complete the following:

- (a) List the major U.S. Department of Commerce Standard Industrial Codes:
- (b) Provide as **Attachment 6**, the description of the raw materials used for production and the generation process for each waste.
- (c) Provide as **Attachment 7**, a description of the physical, chemical, and biological characteristics and a TCLP analysis of the waste.

If not applicable, check here. ☐

Type of Waste and Waste Management Methods and Environmental Permits

62. Describe the special handling method or management for each waste type to be disposed of in this landfill.

Type of Waste	Method of Management
Friable Asbestos Material	
Non-friable Asbestos Material	
Condemned Food	
MSW Incinerator Ash	
Other Incinerator Ash	
Wastewater Treatment Sludge	
Dead Animals	
CESQG Hazardous Waste	
Liquids	
Tires	
Grease Trap Skimmings	
Pesticide and Hericide Containers	
Non-hazardous Chemicals	
Septic Tank Pumpings	
Underground Storage Tank Soil	
Other	

63. List all Environmental Permits held by the landfill applicant.

Type of Permit (for existing facilities only)	Permit Number or Agency Interest Number
Solid Waste Facilities	-
Hazardous Waste Facilities	-
Underground Injection Control (UIC)	-
KPDES or NPDES	-
Surface Mining	-
Tire Accumulator, Transporter, or Processor	-
Underground Storage Tank	-
Construction in 100 Year Floodplain	-
Dam Safety	-
Asbestos	-
Air Quality	-
Water Quality Certification	-
Blasting	-
US Army COE 401 or 404 fill	-
Wetlands	-
Other	-

Siting Information

64. Provide as **Attachment 8**, directions to the site using roads or highways from a commonly known landmark, listing the nearest community, public road intersection, and named stream. Include latitude and longitude measurements for the site.
65. Provide as **Attachment 9**, an original, current USGS 7.5 minute topographic map showing the existing or proposed waste boundaries and property boundaries. Show the location of the following features located within a one-mile radius of the waste boundaries:
- (a) All surface water intake and discharge structures
 - (b) All waste management, storage, processing, or disposal facilities
 - (c) All injection wells
 - (d) All wells, springs, ephemeral, intermittent, and perennial streams, other surface water bodies, and drinking water w&ls
 - (e) Airports
 - (f) Fault areas
 - (g) Karst features

66. Provide as **Attachment 10**, a site map that contains the following items clearly marked and labeled. Check all that apply to the site.

- ☐ Property lines
- ☐ Adjacent property owners
- ☐ Facility permitted area
- ☐ Fill area
- ☐ Surrounding residences (within 1500 feet of the waste boundary)
- ☐ 100-year floodplain
- ☐ Mine works
- ☐ Unplugged wells
- ☐ Gas, sewer, water and other utility lines
- ☐ Cultural or historic resources listed, or eligible for listing on the National Register of Historic Places
- ☐ Known archaeological sites
- ☐ Critical habitats of federally protected threatened and endangered species
- ☐ Wetlands

67. Provide as **Attachment 11**, the published information to confirm the presence or absence of any archeological sites on or near the proposed site.

68. Provide as **Attachment 12**, the published information to confirm the presence or absence of any critical habitats on or near the proposed site.

69. Provide as **Attachment 13**, the published information to confirm the presence or absence of any wetlands on or near the proposed site.

70. Provide as **Attachment 14**, a general county highway map published by the Kentucky Transportation Cabinet showing the location of the site or substantial expansion.

Existing Facility Information

(If the permit application is for an existing facility the following additional information is required. If it is a new permit application, please skip 71-73).

71. Provide as **Attachment 15**, a drawing of the facility showing locations of all past, present, and future waste management areas.

72. Provide as **Attachment 16**, all photographs of structures, existing waste management areas, primary operating components, and anticipated future waste management areas.

73. Provide as **Attachment 17**, water quality certification if required by the Kentucky Division of Water, and Section 401 of the Clean Water Act. Label as Attachment 18.



Geotechnical Information

74. Provide the name of USGS Quadrangle(s):
75. Provide as **Attachment 18**, a review of all pertinent published and existing information on geology, hydrogeology, and hydrology including depth to the seasonal high groundwater table, quarried areas, caves, and excavations such as mines pertaining to the site.
76. Provide a proposed rock coring narrative plan as **Attachment 19** to satisfy 401 KAR 47:170, Section 3(3), (5), (8) and (9) describing:
- a. Procedures to obtain data to evaluate the geologic features to the level of the first confining layer below the uppermost aquifer, and all geologic units hydraulically connected to the uppermost aquifer;
 - b. Procedures to obtain data needed to determine the features of the liner system if this is a residual landfill;
 - c. Procedures to obtain data to describe the site geology, the local aquifers that are hydrogeologically associated with the site, and the transmissivity of the aquifers;
 - d. Procedures to obtain relevant field data and appropriate test methods for determining hydrogeologic parameters;
 - e. Directions for closure of the rock core borings using grout. The closure of the investigative excavations shall be acknowledged in writing by a registered professional engineer pursuant to KRS 322 or professional geologist pursuant to KRS 322A;
 - f. The methods and accuracy to be used to determine the location of the rock core borings during the subsurface investigation; and
 - g. A procedure for written documentation when the locations of borings are adjusted in the field.

77. Provide a proposed soil boring narrative plan as **Attachment 20** to satisfy 401 KAR 47:170, Section 3(4), (5) and (6) describing:

- a. Procedures for field observations during solid borings and the criteria for selecting soils to be examined in the laboratory;
- b. Procedures for field classification by a person qualified to make distinctions on characteristics relative to the engineering classification of soils;
- c. An analysis plan for at least one (1) soil sample for each soil type within each soil examination block. Describe the soils to be selected for laboratory examination using a test method that is selected using best engineering judgment;
- d. The proposed depth of soil borings and their depth relationship to the limits of proposed excavation;
- e. Directions for closure of the soil borings. The closure of the investigative excavations shall be acknowledged in writing by a registered professional engineer pursuant to KRS 322 or professional geologist pursuant to KRS 322A;
- f. The methods and accuracy to be used to determine the location of the soil borings during the subsurface investigation; and
- g. A procedure for written documentation when the locations of actual borings are adjusted in the field.

78. Provide a proposed site geotechnical investigation map prepared at a scale of one (1) inch equals 400 feet as **Attachment 21** to satisfy 401 KAR 47:170, Section 3(7) showing:

- a. The limits of all areas that may be used for soil borrow;
- b. The limits of all areas that may be used for waste disposal;
- c. Site topography;
- d. USDA SCS soil groups;
- e. A regular grid (soil examination block) of 1,000 feet by 1,000 feet spacing;
- f. Within each soil examination block of the grid, the placement of at least one (1) soil boring for each soil type; and
- g. Additional soil boring locations such that a minimum of nine (9) soil borings shall be taken in each soil examination block.
- h. The proposed rock coring locations of a minimum of four (4) rock core borings. For sites with more than fifty (50) acres, an additional rock core boring shall be required for each additional twenty-five (25) acres or part thereof. The placement of the rock core borings shall be dependent on site geologic features of the proposed site. Additional rock core borings may be required for sites with complex geologic attributes

79. Check and list the other informational sources to be researched for site specific attributes pursuant to 401 KAR 47:170, Section 3(10):

- ☐ Surface mining permits;
- ☐ Subsurface excavation and mining permits;
- ☐ Kentucky Geologic Survey; and
- ☐ Kentucky Department of Natural Resources
- ☐ Other:

Preparer Information

80. Consultant Company Name (if different from 40):

81. Mailing Address:

82. City:

83. State: 84. Zip Code:

85. Contact Person:

86. E-Mail Address:

87. Phone #: () - 88. Cell #: () - 89. Fax #: () -

90. Geologist Company Name (if different from 40):

91. Mailing Address:

92. City:

93. State: 94. Zip Code:

95. Contact Person:

96. E-Mail Address:

97. Phone #: () - 98. Cell #: () - 99. Fax #: () -

100. Other Consulting Company:

101. Mailing Address:

102. City:

103. State: 104. Zip Code: -

105. Contact Person:

106. E-Mail Address:

107. Phone #: () - 108. Cell #: () - 109. Fax #: () -

Public Notice

110. Complete **Attachment 22** for the public notice which complies with 401 KAR 47:140, Section 11(1) and KRS 224.40-310(3).

111. Provide as **Attachment 24**, a tear sheet and affidavit of publication of the public notice. A Public Notice Draft is provided as **ADDENDUM #1**.



Certification

112. Pursuant to 401 KAR 47:160, Section 6, a person with signature authority such as a sole proprietor, owner, partner, corporate officer, plant manager, LLC member, mayor, county judge executive or other authorized official must sign this certification statement.

NOTE: Consultants may not sign the following certification statement.

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for such violations.”

Name of Person Signing (type or print): _____

Title of Person Signing: _____

Date: - - -

Signature per 401 KAR 47:160: _____

Subscribed and sworn to before me this _____ day of _____, Year 20_____

Notary Public Signature: _____

State of _____ County of _____ My commission expires: _____

Attachment #2**Information on Additional Property Owners.**

- | | | |
|-----------|-------|------------------------|
| 1. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| | | |
| 2. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| | | |
| 3. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| | | |
| 4. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| | | |
| 5. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| | | |
| 6. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| | | |
| 7. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| | | |
| 8. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| | | |
| 9. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| | | |
| 10. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |

Attachment #3**Information on Owners of Mineral Rights**

1. Name: Phone #: () -

Address: City: State: Zip Code:

Mineral Type and Description:

2. Name: Phone #: () -

Address: City: State: Zip Code:

Mineral Type and Description:

3. Name: Phone #: () -

Address: City: State: Zip Code:

Mineral Type and Description:

4. Name: Phone #: () -

Address: City: State: Zip Code:

Mineral Type and Description:

5. Name: Phone #: () -

Address: City: State: Zip Code:

Mineral Type and Description:

6. Name: Phone #: () -

Address: City: State: Zip Code:

Mineral Type and Description:

7. Name: Phone #: () -

Address: City: State: Zip Code:

Mineral Type and Description:



Attachment #4**Adjacent Property Owners.**

- | | | |
|-----------|-------|------------------------|
| 1. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| 2. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| 3. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| 4. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| 5. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| 6. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| 7. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| 8. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| 9. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |
| 10. Name: | | Phone #: () - |
| Address: | City: | State: Zip Code: |

Public Notice Draft

Pursuant to Application No.

Agency Interest No. / Permit No.

The Energy and Environment Cabinet, Division of Waste Management has received a Notice of Intent from _____ for a _____ landfill in _____ County.
(owner or operator) (type)

The applicant proposes to construct and operate a landfill with a capacity of _____ cubic yards and a waste disposal area of _____ acres.

This facility may be accessed from _____ by traveling _____.

(insert directions from an intersection)

The name and mailing address of the applicant and facility contact person is:

Facility Name: _____ County: _____

Facility Location:

(Provide the street or physical location. Do not use P. O. Box #'s, etc.)

City: _____ Zip Code: _____

Facility Contact: _____ Title: _____

E-Mail Address: _____

Phone #: () - Fax #: () - Cell #: () -

Questions concerning the application process for Notice of Intent can be directed to the:

Division of Waste Management
Solid Waste Branch,
200 Fair Oaks Lane, Frankfort, KY 40601
(502) 564-6716.



Public Notice for a Substantial Additional Capacity Expansion to an Existing Landfill

The Department for Environmental Protection, Division of Waste Management, has received a notice of intent to apply for a solid waste disposal site permit expansion to existing permit # - .

The permit modification must meet the requirements of KRS Chapter 224, and 401 KAR chapters 47 and 48, and related regulations. The permit, as expanded, would authorize the disposal of: originating from: .

The proposed landfill expansion will have an estimated capacity of _____ cubic yards. The landfill expansion is proposed to be permitted for approximately _____ acres. _____ acres are to be designed for waste disposal.

The location of the proposed expansion site is _____ and may be accessed from _____ by traveling _____.

A description of the business conduction at the facility is

The name and mailing address of the applicant and facility contact person is:

Facility Name: County:

Facility Location:
(Provide the street or physical location. Do not use P. O. Box #'s, etc.)

City: Zip Code:

Facility Contact: Title:

E-Mail Address:

Phone #: () - Fax #: () - Cell #: () -



Questions concerning the application process for Notice of Intent can be directed to the:

Division of Waste Management
Solid Waste Branch,
200 Fair Oaks Lane, Frankfort, KY 40601
(502) 564-6716.